

SECOND REGULAR SESSION

# SENATE BILL NO. 701

93RD GENERAL ASSEMBLY

---

INTRODUCED BY SENATOR CROWELL.

---

Pre-filed December 1, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3580S.01I

---

## AN ACT

To repeal section 173.239, RSMo, and to enact in lieu thereof one new section relating to educational benefits for members of the Missouri national guard.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 173.239, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 173.239, to read as follows:

173.239. 1. Any member of the Missouri national guard who possesses the  
2 qualifications set forth in this section may be awarded an educational assistance  
3 grant to an approved public institution or an approved private institution, as  
4 those terms are defined in either section 173.205 or section 173.778, of his or her  
5 choice while he or she is a member of the Missouri national guard. Funding for  
6 educational assistance pursuant to this section may be requested annually in the  
7 budget of the Missouri national guard. Educational assistance provided pursuant  
8 to this section shall not exceed funds appropriated for that purpose.

9 2. Educational assistance provided under this section shall not exceed the  
10 least of the following:

11 (1) The actual tuition, as defined in section 173.260, charged at an  
12 approved institution where the individual is enrolled or accepted for enrollment;  
13 or

14 (2) The amount of tuition charged a Missouri resident at the University  
15 of Missouri for attendance;

16 (3) The grants provided under this section may be prorated subject to  
17 appropriations in an amount no less than fifty percent of the limits set forth in  
18 this section.

19 3. A member of the Missouri national guard seeking educational  
20 assistance pursuant to this section shall provide a certificate of satisfactory

21 service of his or her Missouri national guard duties from his or her commanding  
22 officer and shall possess all other necessary entrance requirements of the school  
23 of his or her choice and shall maintain a cumulative grade point average (GPA)  
24 of at least two point five on a four point scale, or the equivalent on another scale  
25 approved by the program administrator, while attending the approved public or  
26 private institution.

27 4. If the grade point average of a member who is receiving educational  
28 assistance pursuant to this section falls below two point five on a four point scale,  
29 or the equivalent on another scale, such member shall retain the educational  
30 assistance and shall be placed on probation under the educational assistance  
31 program. Failure to achieve a current grade point average of at least two point  
32 five on a four point scale, or the equivalent on another scale for future semesters  
33 or equivalent academic terms shall result in termination of the scholarship  
34 effective as of the next academic term. The member shall be removed from  
35 probation status upon achieving a cumulative grade point average of two point  
36 five on a four point scale or the equivalent on another scale.

37 5. If a recipient of educational assistance pursuant to this section ceases  
38 to maintain their military affiliation while enrolled in a course of study or within  
39 three years after the completion of a course of study for any reason except death,  
40 disability, or medical disqualification the educational assistance shall be  
41 terminated and the recipient shall repay any amounts awarded pursuant to this  
42 section. For the purposes of this section, individuals who are called to active duty  
43 will be credited for time served in fulfillment of their three-year obligation. **If a**  
44 **recipient of educational assistance under this section is called to active**  
45 **duty other than active duty for training purposes, either by the state**  
46 **of Missouri or by the federal government, each semester or term in**  
47 **which the recipient is unable to enroll or complete due to such active**  
48 **duty service shall be deducted from the three-year obligation that is**  
49 **required under this subsection. The provisions of this subsection shall**  
50 **apply to any recipient called to active duty on or after September 11,**  
51 **2001.**

52 6. Applicants for educational assistance pursuant to this section shall  
53 meet the qualifications established by section 173.215, except the provisions of  
54 subdivisions (2) and (4) of subsection 1 of section 173.215, and shall be qualified,  
55 full-time or part-time students.

56 7. The educational assistance program established pursuant to this

57 section shall be administered by the office of the adjutant general of the Missouri  
58 national guard. The Missouri national guard shall establish guidelines for  
59 equitable distribution of educational assistance.

✓

Unofficial

Bill

Copy